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OCT 21 2004

PATENT APPLICATION

ATTORNEY DOCKET NO. 10010792-1IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Lawrence J. DaQuino

Serial No.: 10/023,375

Examiner: Ann Y. Lam

Filing Date: 12-18-2001

Group Art Unit: 1641

Title: PULSE JET PRINT HEAD HAVING MULTIPLE PRINTHEAD DIES AND METHODS FOR USE IN
THE MANUFACTURE OF BIOPOLYMER ARRAYS

COMMISSIONER FOR PATENTS
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

- (X) Response/Amendment () Petition to extend time to respond
() New fee as calculated below () Supplemental Declaration
(X) No additional fee (Address envelope to "Mail stop Non-Fee Amendments")
() Other: _____ (fee \$ _____)

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS		MINUS		= 0	X \$18	\$ 0
INDEP. CLAIMS		MINUS		= 0	X \$88	\$ 0
[] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$300	\$ 0
EXTENSION FEE	1ST MONTH \$110.00	2ND MONTH \$430.00	3RD MONTH \$980.00	4TH MONTH \$1530.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 50-1078. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 50-1078 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 50-1078 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

I hereby certify that this paper is being facsimile
transmitted to the Patent and Trademark Office on
the date shown below.

Date of Facsimile: 10-21-2004

Typed Name: Donna Macedo

Signature: Donna Macedo

Respectfully submitted,

Lawrence J. DaQuino

By Bret Field

Bret Field for Dianne Rees

Attorney/Agent for Applicant(s)

Reg. No. 37,620

Date: 10-21-2004

Telephone No.: (650) 485-5999

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RESPONSE TO RESTRICTION REQUIREMENT Address to: Commissioner for Patents P.O. Box 1450 Arlington VA 22313-1450	Attorney Docket Confirmation No.	10010792-1 2452
	First Named Inventor	Lawrence J. DaQuino
	Application Number	10/023,375
	Filing Date	December 18, 2001
	Group Art Unit	1631
	Examiner Name	Ann Y Lam
	Title	Pulse Jet Print Head Having Multiple Printhead Dies and Methods for Use in the Manufacture of Biopolymer Arrays

Dear Sir:

This communication is responsive to the office communication dated September 21, 2004.

In the above referenced office communication, the Examiner imposed a restriction requirement, requiring the election of the claims of either:

Group I, i.e., Claims 1-17 and 29;
Group II, i.e., Claims 18-23; or
Group III, i.e., Claims 24-28;

for further prosecution in this application.

The Applicants hereby elect Group I with traverse.

The Applicants also respectfully urge the Examiner to rejoin the claims of at least Group II with the elected claims of Group I for examination in this application for the following reasons.

The MPEP allows an Examiner to examine otherwise patentably distinct sets of claims if to do so would not impose an undue burden on the Examiner. M.P.E.P. § 8.03 states that:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

In the present case, the claims of Group II include all of the elements found in the claims of Group I. As such, the search for the claims of Group I will find any relevant prior art relating to the claims of Group II.

Accordingly, little, if any, additional searching should be required for the claims of Group II, and therefore the examination of the claims of Group II together

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United States Application Serial No. 10/023,375

with the claims of elected Group I should impose little, if any, additional burden on the Examiner.


As such, examining the claims of Group II and the claims of elected Group I together in the present application clearly does not impose an undue or serious burden on the Examiner. In the absence of such an undue or serious burden, the Examiner is clearly instructed by the MPEP to examine the entire application. Therefore, the Examiner is respectfully requested to rejoin the claims of Group II and with the claims of elected Group I and to examine all the claims together in the present application.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

BOZICEVIC, FIELD & FRANCIS LLP

Date: October 21, 2004

By: 
Bret E. Field
Registration No. 37,620

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